

## *St. Louis City Ordinance 64463*

FLOOR SUBSTITUTE

BOARD BILL NO. [98] 96

INTRODUCED BY ALDERMAN BENNICE JONES KING, MARTIE J.

ABOUSSIE , GREGORY CARTER , STEPHEN GREGALI , PHYLLIS YOUNG ,  
MARIT CLARK , IRVING C. CLAY, JR.

An ordinance pertaining to signs; prohibiting the placement or display of any sign advertising, advocating or promoting the use of a tobacco product within 2,000 feet of a public park, daycare facility, community recreation center, or public or private school through grade 12; containing definitions, exceptions and a penalty clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Definitions.

- A. ♦Day care facility♦ any house or other building, or any part thereof, which is licensed to provide care for any part of the twenty four hour day for five or more children who do not live on the premises;
- B. ♦School building♦ shall include the entirety of any building in any part of which student education or school sponsored student recreation, assembly or activity takes place;
- C. ♦Tobacco♦ shall include, but not be limited to, cigars, cigarettes, pipe tobacco and smokeless tobacco or tobacco products that are suitable for dipping or chewing.

SECTION TWO. Notwithstanding the provisions of any other ordinance to the contrary, no signs advertising, advocating or promoting the use of a tobacco product may be placed, erected or displayed within 2,000 feet of a public park, daycare facility, community recreation center or public or private school through grade 12. Measurements shall be made from the outside perimeter of the park, daycare, community recreation center, recreation center or school property.

SECTION THREE. No person shall place or display any sign, poster, placard or any other form of textual or graphic expression advertising, advocating or promoting the use of a tobacco product within 2,000 feet of a public park, daycare facility, community recreation center or public or private school

through grade 12. Measurements shall be made from the outside perimeter of the park or the daycare, community recreation center or school property.

SECTION FOUR. The provisions of this ordinance shall not apply to the following:

- a. Any sign placed on the inside of the immediate premises used by licensed sellers of tobacco products which cannot be seen from the public right of way or from any park, daycare, community recreation center or school property;
- b. any sign on tobacco product packaging or commercial vehicles engaged in the transporting of such products;
- c. any sign on a taxi or on any bus owned or operated by the Interstate Transit Authority;
- d. any sign contained on any personal item of clothing or apparel;
- e. any sign on any book, magazine, newspaper or similar publication;
- f. any sign that is otherwise permitted by state law which is visible from and within 660 feet of an interstate highway as defined in section 226.510 RSMo. or any applicable federal law;
- g. any sign that contains the name or slogan of the premises used by the holder of a cigarette business license that has been placed for the purpose of identifying such premise.

SECTION FIVE. Any person found guilty or who enters a plea of guilty to a violation of the ordinance shall be subject to a fine not to exceed Five Hundred Dollars (\$500.00) or a term of imprisonment not to exceed Ninety Days (90) or both a fine and imprisonment. Each day that a sign prohibited by this ordinance is displayed shall be considered a separate violation.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
06/26/98	06/26/98	LEG	07/08/98	

<b>2ND READING</b>	<b>FLOOR AMEND</b>	<b>FLOOR SUB</b>	<b>PERFECTN</b>	<b>PASSAGE</b>
<b>07/10/98</b>		<b>07/17/98</b>	<b>07/17/98</b>	<b>07/24/98</b>
<b>ORDINANCE</b>	<b>VETOED</b>		<b>VETO OVR</b>	
<b>64463</b>				